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AN ORDINANCE relating to land uses; amending Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, and Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140, Ordinance 15032, Section 18, and K.C.C. 21A.14.025; Ordinance 10870, Section 562, and K.C.C. 21A.34.030 and Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050 and repealing Ordinance 12823, Section 17, and K.C.C. 21A.38.220 and Ordinance 12823, Section 18, and K.C.C. 21A.38.230.

..body

SECTION 1. Ordinance 10870, Section 332, as amended, and K.C.C.

21A.08.050 are each hereby amended to read as follows:

**General services land uses.**

**A. General services land uses.**

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
P-Permitted Use	C-Conditional Use		A	F	M	R	U	R	U	N	C	B	R	O
S-Special Use			G	O	I	R	R	R	R	E	O	U	B	I
			R	R	N	R	B	B	S	I	M	S	I	N
			I	E	E	A	A	A	I	G	U	I	O	F
			C	S	R	L	N	N	D	H	N	N	N	I
			U	T	A		R	R	E	B	E	E	S	U
			L	R	L		E	E	N	O	S	A	S	S
									T	R				
									I	H	I			
									A	S	S			
									L					
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:													
72	General Personal Service							C25	C25	P	P	P	P3	P3
7216	Drycleaning Plants													P
7218	Industrial Launderers													P
7261	Funeral Home/Crematory						C4	C4	C4		P	P		

*	Cemetery, Columbarium or Mausoleum				P24 C5, 31	P24 C5	P24 C5	P24 C5	P24	P24	P24 C5	P24	
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterinary Clinic	P9			P9 C10, 31	P9 C10			P10	P10	P10		P
753	Automotive Repair (1)								P11	P	P		P
754	Automotive Service								P11	P	P		P
76	Miscellaneous Repair	C33			P32 C33	P32	P32	P32	P32	P	P		P
866	Church, Synagogue, Temple				P12 C((28)) 27, 31	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 C13, 31	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable	P14 C			P14 C31	P14 C	P 14 C						
*	Kennel or Cattery	P9			C	C				C	P		
*	Theatrical Production Services									P30	P28		
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility	((P2 4))	((P24 )	((P24 )	P((22)) 21	P21	P((22)) 21	P((22)) 21	P((23) ) 22	P((23) ) 22	P	P21	P
*	Dog training facility	C34			C34	C34			P	P	P		P
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C13	P12 C13	P12 C13	P12 C13	P	P	P	P	P
805	Nursing and Personal Care Facilities							C		P	P		
806	Hospital						C13	C13		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary School				P16 15, 31	P	P	P		P16c	P16c	P16c	
*	Middle/Junior High School				P16 C15, 31	P	P	P		P16c	P16c	P16c	
*	Secondary or High School				P16 C15, ((27))26, 31	P26	P((28)) 26	P((28)) 26		P16c C	P16c C	P16c	
*	Vocational School				P13 C31	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School		P18		P19 C20, 31	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility				C23, 31 P16, C15	P23 C	P23 C	P23 C	C	P	P	P	P
<b>GENERAL CROSS REFERENCES:</b> Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.													

17 B. Development condition.

18 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted  
19 use table.

20 2. Except SIC Industry Group Nos.:

- 21                   a. 835-Day Care Services, and
- 22                   b. 836-Residential Care, which is otherwise provided for on the residential
- 23 permitted land use table.
- 24                   3. Limited to SIC Industry Group and Industry Nos.:
- 25                   a. 723-Beauty Shops;
- 26                   b. 724-Barber Shops;
- 27                   c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 28                   d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 29                   e. 217-Carpet and Upholstery Cleaning.
- 30                   4. Only as an accessory to a cemetery, and prohibited from the UR zone only if
- 31 the property is located within a designated unincorporated Rural Town.
- 32                   5. Structures shall maintain a minimum distance of one hundred feet from
- 33 property lines adjoining residential zones.
- 34                   6. Only as an accessory to residential use, and:
- 35                   a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
- 36 with no openings except for gates, and have a minimum height of six feet; and
- 37                   b. Outdoor play equipment shall maintain a minimum distance of twenty feet
- 38 from property lines adjoining residential zones.
- 39                   7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.
- 40 21A.08.060.A.
- 41                   8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,
- 42 or an accessory use to a school, church, park, sport club or public housing administered
- 43 by a public agency, and:

44                   a. Outdoor play areas shall be completely enclosed by a solid wall or fence,  
45 with no openings except for gates and have a minimum height of six feet;

46                   b. Outdoor play equipment shall maintain a minimum distance of twenty feet  
47 from property lines adjoining residential zones;

48                   c. Direct access to a developed arterial street shall be required in any  
49 residential zone; and

50                   d. Hours of operation may be restricted to assure compatibility with  
51 surrounding development.

52                   9.a. As a home occupation only, but the square footage limitations in K.C.C.  
53 chapter 21A.30 for home occupations apply only to the office space for the veterinary  
54 clinic, office space for the kennel or office space for the cattery, and:

55                   (1) Boarding or overnight stay of animals is allowed only on sites of five  
56 acres or more;

57                   (2) No burning of refuse or dead animals is allowed;

58                   (3) The portion of the building or structure in which animals are kept or  
59 treated shall be soundproofed. All run areas, excluding confinement areas for livestock,  
60 shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced  
61 with concrete or other impervious material; and

62                   (4) The provisions of K.C.C. chapter 21A.30 relative to animal keeping are  
63 met.

64                   b. The following additional provisions apply to kennels or catteries in the A  
65 zone:

(1) Impervious surface for the kennel or cattery shall not exceed twelve thousand square feet;

(2) Obedience training classes are not allowed except as provided in subsection B.34. of this section; and

(3) Any buildings or structures used for housing animals and any outdoor runs shall be set back one hundred and fifty feet from property lines((7)).

10.a. No burning of refuse or dead animals is allowed;

b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

11. The repair work or service shall only be performed in an enclosed building, and no outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery Repair Shops and Paint Shops is not allowed.

12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

13. Only as a reuse of a surplus non residential facility subject to K.C.C. chapter 21A.32.

14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand square feet, but stabling areas, whether attached or detached, shall not be counted in this calculation.

15. Limited to projects which do not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective

alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school facility and serving only the public school or the school facility may be used. New public high schools shall be permitted subject to the review process set forth in K.C.C. 21A.42.140.

16.a. For middle or junior high schools and secondary or high schools or school facilities, only as a reuse of a public school facility or school facility subject to K.C.C. chapter 21A.32. An expansion of such a school or a school facility shall be subject to approval of a conditional use permit and the expansion shall not require or result in an extension of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school facility may be used.

b. Renovation, expansion, modernization or reconstruction of a school, a school facility, or the addition of relocatable facilities, is permitted but shall not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the public school, as defined in RCW 28A.150.010, or the school facility may be used.

c. In CB, RB and O, for K-12 schools with no more than one hundred students.

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as an accessory to residential use, and:

a. Students shall be limited to twelve per one-hour session;

- b. All instruction must be within an enclosed structure; and
- c. Structures used for the school shall maintain a distance of twenty-five feet from property lines adjoining residential zones.
20. Subject to the following:
- a. Structures used for the school and accessory uses shall maintain a minimum distance of twenty-five feet from property lines adjoining residential zones;
- b. On lots over two and one-half acres:
- (1) Retail sale of items related to the instructional courses is permitted, if total floor area for retail sales is limited to two thousand square feet;
- (2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health(~~((Seattle and King County))~~) approval, if total floor area for food sales is limited to one thousand square feet and is located in the same structure as the school; and
- (3) Other incidental student-supporting uses are allowed, if such uses are found to be both compatible with and incidental to the principal use; and
- c. On sites over ten acres, located in a designated Rural Town and zoned any one or more of UR, R-1 and R-4:
- (1) Retail sale of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to two thousand square feet;
- (2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health(~~((Seattle and King County))~~) approval, if total floor area for food sales is limited to one thousand seven hundred fifty square feet and is located in the same structure as the school;

(3) Other incidental student-supporting uses are allowed, if the uses are found to be functionally related, subordinate, compatible with and incidental to the principal use;

(4) The use shall be integrated with allowable agricultural uses on the site;

(5) Advertised special events shall comply with the temporary use requirements of this chapter; and

(6) Existing structures that are damaged or destroyed by fire or natural event, if damaged by more than fifty percent of their prior value, may reconstruct and expand an additional sixty-five percent of the original floor area but need not be approved as a conditional use if their use otherwise complies with development condition B.20.c. of this section and this title.

21. Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

22. With the exception of drop box facilities for the collection and temporary storage of recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard waste processing is not permitted.

23. Only if adjacent to an existing or proposed school.

24. Limited to columbariums accessory to a church, but required landscaping and parking shall not be reduced.

25. Not permitted in R-1 and limited to a maximum of five thousand square feet per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

26.a. New high schools shall be permitted in the rural and the urban residential and urban reserve zones subject to the review process in K.C.C. 21A.42.140.



b. Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted.

27. Limited to projects that do not require or result in an expansion of sewer service outside the urban growth area. In addition, such use shall not be permitted in the RA-20 zone.

28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32 or as a joint use of an existing public school facility.

29. All studio use must be within an enclosed structure.

30. Adult use facilities shall be prohibited within six hundred sixty feet of any residential zones, any other adult use facility, school, licensed daycare centers, parks, community centers, public libraries or churches that conduct religious or educational classes for minors.

31. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian community designated by the Comprehensive Plan.

32. Limited to repair of sports and recreation equipment:

a. as an accessory to a large active recreation and multiuse park in the urban growth area; or

b. as an accessory to a park, or a large active recreation and multiuse park in the RA zones, and limited to a total floor area of seven hundred fifty square feet.

33. Accessory to agricultural or forestry uses provided:

a. the repair of tools and machinery is limited to those necessary for the operation of a farm or forest.

b. the lot is at least five acres.

c. the size of the total repair use is limited to one percent of the lot size up to a maximum of five thousand square feet unless located in a farm structure, including but not limited to barns, existing as of December 31, 2003.

34. Subject to the following:

a. the lot is at least five acres.

b. in the A zones, area used for dog training shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production or areas without prime agricultural soils.

c. structures and areas used for dog training shall maintain a minimum distance of seventy-five feet from property lines.

d. all training activities shall be conducted within fenced areas or in indoor facilities. Fences must be sufficient to contain the dogs.

SECTION 2. Ordinance 10870, Section 351, as amended, and K.C.C. 21A.12.140 are each hereby amended to read as follows:

**Setbacks – from regional utility corridors.**

A. Except as otherwise provided in subsection B of this section ((F))in subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

B. For a subdivision or short subdivision:

1. Upon mutual agreement of the utility and applicant for the subdivision or short subdivision submitted at the time of application for the preliminary plat, the area of

the regional utility corridor placed in a separate tract may be less than the entire utility right-of-way or easement. The agreement may be evidenced by correspondence between the utility and the applicant;

2. If the utility and applicant enter into an agreement under subsection B.1 of this section:

a. The location of the easement or right-of-way shall be shown on the face of the plat;

b. The applicant shall record on the title of all lots that extend into the right-of-way or easement a notice approved by the department that there is an easement or right-of-way for a regional utility corridor that may subject use of that area of the property to conditions established by the utility; and

c. The department shall include as conditions of plat approval the conditions on use of the area within the regional utility corridor included in the agreement between the utility and the applicant.

~~C.~~ In ~~((other types of))~~ land development permits other than subdivisions or short subdivisions, easements shall be used to delineate regional utility corridors.

~~((C.))~~ D. All structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the regional utility corridor.

~~((D.))~~ E. Any structure designed for human occupancy, except for utility structures not normally occupied that are necessary for the operation of the pipeline or a minor communication facility, shall maintain a minimum distance of one hundred feet from a hazard liquid or gas transmission pipeline located within a regional utility

corridor. The setback distance may be modified if the applicant demonstrates the following:

1. A one-hundred-foot setback would deny all reasonable use of the property;
- or
2. That the structure would be protected from radiant heat of an explosion by berming or other physical barriers; or
3. That a one-hundred-foot setback would be impractical or unnecessary due to existing geographic features, streets, lot lines, or easements; or
4. That no other practical alternative exists to meet the demand for service; and
5. That the applicant will construct a hazardous liquid or gas transmission containment system or other mitigating actions if the county finds that leakage could accumulate within one hundred feet of the pipeline. Any containment system or other mitigating actions required by this section shall meet all applicable federal, state and local regulations.

SECTION 3. Ordinance 15032, Section 18 and K.C.C. 21A.14.025 are each hereby amended to read as follows:

**Cottage housing development.** For cottage housing developments in the R4-R8 zones:

A. The total area of the common open space must be at least two hundred and fifty square feet per unit and at least fifty percent of the units must be clustered around the common space.

B. The total floor area of each unit, including any enclosed parking, is limited to one thousand two hundred square feet. The footprint of each unit, including any enclosed

250 parking, is limited to nine hundred square feet. A front or wraparound porch of up to one  
251 hundred square feet is permitted and is not to be included in the floor area or footprint  
252 calculation.

253 C. Fences within the cottage housing unit development are limited to three feet in  
254 height. Fences along the perimeter of the cottage housing development are limited to six  
255 feet.

256 D. Individual cottage housing units must be at least ten feet apart.

257 SECTION 4. Ordinance 10870, Section 562 and K.C.C. 21A.34.030 are each  
258 hereby amended to read as follows:

259 **Maximum densities permitted through residential density incentive (RDI)**  
260 **review.** The maximum density permitted through residential density incentive("RDI")  
261 review shall be ~~((450))~~ one hundred fifty percent of the base density of the underlying  
262 zone of the development site or ~~((200))~~ two hundred percent of the base density for  
263 cottage housing proposals or RDI proposals with ((400)) one hundred percent affordable  
264 units.

265 SECTION 5. Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050  
266 are each hereby amended to read as follows:

267 **Transfer of development rights (TDR) program – development limitations.**

268 A. Following the transfer of residential development rights a sending site may  
269 subsequently accommodate remaining residential dwelling units, if any, on the buildable  
270 portion of the parcel or parcels or be subdivided, consistent with the zoned base density  
271 provisions of the density and dimensions tables in K.C.C. 21A.12.030 and 21A.12.040,  
272 the allowable dwelling unit calculations in K.C.C. 21A.12.070 and other King County

development regulations. For sending sites zoned RA, the subdivision potential remaining after a density transfer may only be actualized through a clustered subdivision, short subdivision or binding site plan that creates a permanent preservation tract as large or larger than the portion of the subdivision set aside as lots. Within rural forest focus areas, resource use tracts shall be at least fifteen acres of contiguous forest land.

~~B. ((Residential and nonresidential uses on lots zoned R-1, RA, A and F shall be limited to a maximum of ten percent impacting impervious surface.~~

~~————C.))~~ Only those nonresidential uses directly related to, and supportive of the criteria under which the site qualified are allowed on a sending site.

~~((D))~~C. The applicable limitations in this section shall be included in the sending site conservation easement.

SECTION 6. Ordinance 12823, Section 17 and K.C.C. 21A.38.220 are each hereby repealed.

SECTION 7. Ordinance 12823, Section 18, and K.C.C. 21A.38.230 are each hereby repealed.